

FILED
CLERK'S OFFICE17 AUG 16 P 3:43
UNITED STATES DISTRICT COURT**FOR THE****DISTRICT OF DELAWARE** U.S. DISTRICT COURT
OFFICE OF THE CLERK DISTRICT OF MASS.PETER T. DALLEO
CLERK OF COURTLOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170
www.ded.uscourts.gov04 11783 NG
August 13, 2004

MAGISTRATE JUDGE

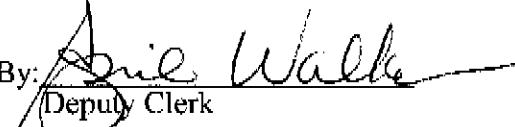
United States District Court for the District of Massachusetts
1 Courthouse Way
Boston, Massachusetts 02210
ATTN: Tony Anastas, Clerk of Court**RE: C.A. 04-CV-232 GMS (CYTOLOGIX CORPORATION v. VENTANA MEDICAL SYSTEMS, INC.)**

Dear Sir/Madam:

Pursuant to the July 2, 2004, conditional transfer order, enclosed please find the following:

1. Original Pleadings from the USDC file
2. Certified Copy of our Docket Sheet

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Sincerely,
Peter T. Dalleo, ClerkBy: 
Deputy Clerk

Enclosures

I hereby acknowledge receipt of the record in the above captioned matter on _____.
(Date)

Signature

Title

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

)
CYTOLOGIX CORPORATION,)
)
Plaintiff,)
)
v.) Civil Action No. 04-232 (GMS)
)
VENTANA MEDICAL SYSTEMS, INC.)
)
Defendant.)
)
)

STIPULATED ORDER TRANSFERRING ACTION

WHEREAS, defendant Ventana Medical Systems, Inc. has moved pursuant to 28 U.S.C. § 1404(a) for an order transferring this case to the District of Massachusetts; and

WHEREAS, this action might have been brought in the District of Massachusetts, and the parties have agreed to a transfer to that District,

IT IS HEREBY STIPULATED by the parties to this action, subject to the order of this court, that this action is transferred to the United States District Court for the District of Massachusetts.

FISH & RICHARDSON P.C.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Thomas L. Halkowski
Thomas L. Halkowski (No. 4099)
919 North Market Street, Suite 1100
P.O. Box 1114
Wilmington, Delaware 19899-1114
(302) 652-5070

Richard H. Morse
Richard H. Morse (No. 531)
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899
(302) 571-6600

Of Counsel:

Michael E. Zeliger
David A. Simons
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
(617) 542-5070

Attorneys for Plaintiff

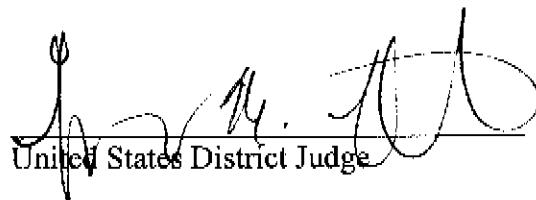
DATED: July 1, 2004

Of Counsel:

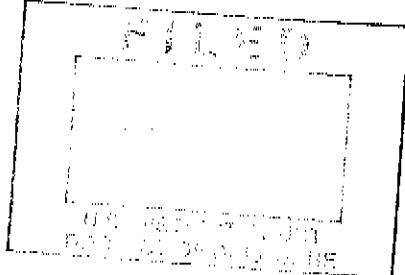
Ron E. Shulman
Roger J. Chin
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300

Attorneys for Defendant

SO ORDERED, this 1 day of July, 2004.



United States District Judge



CHASER Pre Extracted Civil Docket as of July 15, 2004 8:09 pm
CLOSED

7/15/04

CERTIFIED:
AS A TRUE COPY:
ATTEST:
PETER T. DALLOO, CLERK
BY 
Deputy Clerk

U.S. District Court

U. S. District Court of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:04cv00232-

Cytologix Corp v. Ventana Medical

Filed: 04/15/04

Assigned to: Judge Gregory M. Sleet

Jury demand: Both

Demand: \$0,000

Nature of Suit: 830

Lead Docket: None

Jurisdiction: Federal Question

Dkt# in other court: None

Cause: 28:1338 Patent Infringement

* Parties *	* Attorneys *
CYTOLOGIX CORPORATION plaintiff	Timothy Devlin [COR LD NTC] Fish & Richardson, P.C. 919 N. Market Street, Suite 1100 P.O. Box 1114 Wilmington, DE 19899-1114 (302) 652-5070
v.	
VENTANA MEDICAL SYSTEMS INC. defendant	Richard H. Morse 571-6651 [COR LD NTC] Young, Conaway, Stargatt & Taylor The Brandywine Building 1000 West Street, 17th Floor P.O. Box 391 Wilmington, DE 19899-0391 (302) 571-6600
VENTANA MEDICAL SYSTEMS INC. counter-claimant	Richard H. Morse 571-6651 [COR LD NTC] Young, Conaway, Stargatt & Taylor The Brandywine Building 1000 West Street, 17th Floor P.O. Box 391 Wilmington, DE 19899-0391 (302) 571-6600
v.	
CYTOLOGIX CORPORATION counter-defendant	Timothy Devlin [COR LD NTC] Fish & Richardson, P.C. 919 N. Market Street, Suite 1100

P.O. Box 1114
Wilmington, DE 19899-1114
(302) 652-5070

Docket Proceedings

Date	Doc #	Docket Entry
04/15/04	1	COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 136028 (es) [Entry date 04/16/04]
04/15/04	--	DEMAND for jury trial by Cytologix Corp (es) [Entry date 04/16/04] [Edit date 04/16/04]
04/15/04	--	SUMMONS(ES) issued for Ventana Medical (es) [Entry date 04/16/04]
04/15/04	2	Report to Commissioner of Patents and Trademarks. Exit original. Re: 6,541,261 B1 (es) [Entry date 04/16/04]
04/16/04	3	RETURN OF SERVICE executed as to Ventana Medical 4/15/04 (c/o Corporation Trust Co.); Answer due on 5/5/04 for Ventana Medical (bkb) [Entry date 04/19/04]
04/21/04	4	CASE assigned to Judge Gregory M. Sleet . Notice to all parties. (rb)
04/21/04	5	Disclosure Statement pursuant to FRCvP 7.1(a) by Cytologix Corp (aw) [Entry date 04/27/04]
04/28/04	6	STIPULATION Extending Time to Respond to Complaint from 5/5/04 to 5/26/04 (lg)
04/29/04	--	So Ordered granting [6-1] stipulation (signed by Judge Gregory M. Sleet) Notice to all parties. (aw)
04/29/04	--	Deadline updated; reset Answer deadline from 5/5/04 to 5/26/04 for Ventana Medical (aw)
05/03/04	7	MOTION by Cytologix Corp with Proposed Order for Michael E. Zeliger and David A. Simons to Appear Pro Hac Vice (lg) [Entry date 05/04/04]
05/04/04	--	So Ordered granting [7-1] motion for Michael E. Zeliger and David A. Simons to Appear Pro Hac Vice (signed by Judge Gregory M. Sleet) Notice to all parties. (lg) [Entry date 05/27/04]
05/26/04	8	NOTICE of Related Case by Ventana Medical Case No.s 00-12231 & 01-10178 (District of Massachusetts) (lg) [Entry date 05/27/04]

05/26/04	9	ANSWER to complaint and COUNTERCLAIM by Ventana Medical; Jury demand against Cytologix Corp (lg) [Entry date 05/27/04]
05/26/04	10	MOTION by Ventana Medical to Transfer Venue (to the District of Massachusetts) (lg) [Entry date 05/27/04]
05/26/04	11	Opening Brief Filed by Ventana Medical [10-1] motion to Transfer Venue (to the District of Massachusetts) - Answer Brief due 6/9/04 (lg) [Entry date 05/27/04]
05/26/04	12	Declaration of S. Michael Song in Support of Ventana's Motion to Transfer Venue (lg) [Entry date 05/27/04]
06/03/04	13	Corporate Disclosure Statement pursuant to Rule 7.1 by Ventana Medical Systems, Inc. (aw)
06/04/04	14	MOTION by Ventana Medical with Proposed Order for Ron E. Shulman, Esq., Roger J. Chin, Esq. and S. Michael Song, Esq. to Appcar Pro Hac Vice (aw) [Entry date 06/07/04]
06/07/04	--	So Ordered granting [14-1] motion for Ron E. Shulman, Esq., Roger J. Chin, Esq. and S. Michael Song, Esq. to Appear Pro Hac Vice (signed by Judge Gregory M. Sleet) Notice to all parties. (aw)
06/09/04	15	STIPULATION with proposed order to Extend the deadline to 6/17/04 for the Plaintiff to file a response to Defendant's Motion to Transfer and for the Defendant's Reply to be due on 6/24/04 (aw) [Entry date 06/10/04]
06/09/04	--	So Ordered granting [15-1] stipulation (signed by Judge Gregory M. Sleet) Notice to all parties. (aw) [Entry date 06/10/04]
06/10/04	--	Deadline updated; reset Answer deadline to 6/17/04 for Ventana Medical, set Reply Brief Deadline to 6/24/04 re: [10-1] motion to Transfer Venue (to the District of Massachusetts) (aw) [Entry date 06/17/04]
06/10/04	--	Deadline updated; set Answer Brief Deadline to 6/17/04 re: [10-1] motion to Transfer Venue (to the District of Massachusetts), reset Reply Brief Deadline to 6/24/04 re: [10-1] motion to Transfer Venue (to the District of Massachusetts) (aw) [Entry date 06/18/04]
06/15/04	16	ANSWER by Cytologix Corp to [9-2] counter claim (aw) [Entry date 06/17/04]
06/17/04	17	Answer Brief Filed by Cytologix Corp [10-1] motion to Transfer Venue (to the District of Massachusetts) - Reply Brief due 6/24/04 (aw) [Entry date 06/18/04]
06/18/04	18	STIPULATION with proposed order Extending time (one week) from 6/24/04 to 7/1/04 for the Defendant to file a reply brief in support of its motion to transfer (aw) [Entry date 06/22/04]

06/23/04	--	So Ordered granting [18-1] stipulation (signed by Judge Gregory M. Sleet) Notice to all parties. (aw)
06/23/04	--	Deadline updated; reset Reply Brief Deadline to 7/1/04 re: [10-1] motion to Transfer Venue (to the District of Massachusetts) (aw)
07/02/04	19	STIPULATION with proposed order Transferring Action to the U.S.D.C. for the District of Massachusetts (aw) [Edit date 07/02/04]
07/02/04	--	So Ordered granting [19-1] stipulation (signed by Judge Gregory M. Sleet) Notice to all parties. (aw)
07/02/04	--	Case closed (aw) [Entry date 07/15/04]
[END OF DOCKET: 1:04cv232]		